

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MICHAEL CRISSWELL, individually and on)	
behalf of a class of similarly situated)	
individuals,)	
)	No. 08-cv-01578
Plaintiff,)	
)	Judge Milton Shadur
v.)	
)	
MYSPACE, INC., a Delaware corporation,)	
)	
Defendant.)	

**PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE
PURSUANT TO FEDERAL RULE CIVIL PROCEDURE 41(a)(1)**

PLEASE TAKE NOTICE that the Plaintiff, Michael Crisswell, voluntarily dismisses this case against MySpace, Inc., without prejudice, pursuant to Federal Rule Civil Procedure 41(a)(1) which provides, in relevant part:

(a) Voluntary Dismissal.

(1) By the Plaintiff.

(A) *Without a Court Order.* Subject to Rules 23(e), 23.1(c), 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or

(ii) a stipulation of dismissal signed by all parties who have appeared.

(B) *Effect.* Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits.

In this case, Defendant MySpace Inc., has neither answered the complaint, nor served a motion for summary judgment. Accordingly, this matter may be voluntarily dismissed without prejudice and without an Order of Court.

By: /s/ Myles McGuire

Jay Edelson
Myles McGuire
Steven Lezell
KAMBEREDELSON, LLC
53 West Jackson Boulevard
Suite 550
Chicago, Illinois 60604
Telephone: (312) 589-6370

CERTIFICATE OF SERVICE

I, Myles McGuire, an attorney, certify that on August 1, 2008, I served the above and foregoing ***Plaintiff's Notice of Voluntary Dismissal Without Prejudice Pursuant to Federal Rule Civil Procedure 41(a)(1)***, by causing true and accurate copies of such paper to be filed and transmitted via the court's CM/ECF electronic filing system, to the persons shown below, before the hour of 5:00 p.m., on this the 1st day of August, 2008.

Blaine C. Kimrey
Anthony T. Eliseuson
David R. Geerdes
Sonnenshein, Nath & Rosenthal, LLP
233 South Wacker Drive
Sears Tower
Chicago, Illinois 60606

/s/ Myles McGuire